

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Jonah West, individually, and on  
behalf of all others similarly situated,

Civil No. 05-2525 (DWF/RLE)

Plaintiffs,

v.

**ORDER ADOPTING THE  
REPORT AND RECOMMENDATION**

Border Foods, Inc., d/ba Pizza  
Hut, Inc., and Sky Ventures, LLC,

Defendants.

---

Donald H. Nichols, Esq., Jill M. Novak, Esq., Michele R. Risher, Esq., Paul J. Lukas, Esq.,  
Rachhana T. Srey, Esq., and Sarah M. Fleegel, Esq., Nichols Kaster & Anderson, counsel  
for Plaintiffs.

David P. Pearson, Esq., Laura A. Pfeiffer, Esq., and William A. McNab, Esq., counsel for  
Defendants.

---

Based upon the Findings and Recommendation of the United States Magistrate  
Judge Raymond L. Erickson, and after an independent review of the files, records and  
proceedings in the above-titled matter, **IT IS ORDERED:**

1. That the Plaintiffs' Motion for Conditional Certification, Judicial Notice, and  
to Compel (Doc. No. 29) is **DENIED**.

2. That the Defendants' informal Motion to Stay Consideration of the Plaintiffs' Motion for Conditional Certification, Judicial Notice, and to Compel (Doc. No. 34) is **DENIED**, as moot.

3. That the Defendants' Motion to Strike Interrogatory Answers (Doc. No. 57) is **DENIED**, as moot.

Dated: July 10, 2006

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court